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CANADIAN SHIPOWNERS ASSOCIATION



Established in 1903

ASSOCIATION DES ARMATEURS CANADIENS

July 14, 2003

Via Fax (202) 493-2251

Docket Management Facility (USCG-2003-14792) - 4
United States Department of Transportation, Room PL 401
400 Seventh Street SW
Washington, DC
20590-0001
United States of America

Re: Maritime Security Regulations

Dear Sir,

We wish to submit the following comments on the temporary interim rule published in the Federal Register on July 1, 2003. (Docket USCG -2003-14792)

1. Definition of "international voyage" (pages 39267 and 39280)

The definition of "international voyage" includes voyages made by ships that solely navigate the Great Lakes and St. Lawrence River as far East as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the North side of Anticosti Island, the 63rd meridian.

As you may know the SOLAS Convention specifically exempt vessels which navigate in this area from all the requirements of the Convention including the security requirements and the ISPS Code adopted by the IMO in December 2002 (SOLAS, Part A, Regulation 3(b)). By including this zone in the definition of "international voyage" you are denying the captive Canadian and American-flagged vessels trading in this area a provision which has been enshrined in this International Treaty since its inception. This is a major conflict with the applicability of the SOLAS Convention. Furthermore, there are significant operational and financial impacts of this requirement such as the inability to use the Alternative Security Program (page 39304, Section 104.140 (b)), the requirements for Canadian vessels to be provided with a ship alerting system, vessel identification number, continuous synopsis record, and many others. The security threat posed by these Canadian and American flag vessels generally involved in the transportation of dry

Suite 705, 350 Sparks Street, Ottawa, Canada, K1R 7S8

Tel: (613) 232-3539

Fax: (613) 232-6211

Email: csa@shipowners.ca

WWW: <http://www.shipowners.ca>

bulk cargoes such as iron ore, grain, coal, aggregates does not, in our view, justify the means of requiring these vessels to comply with the security requirements of the SOLAS Convention and ISPS Code.

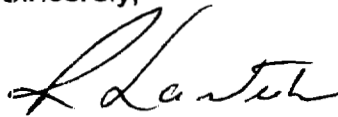
2. Approval of Vessel Security Plan (page 39297)

The interim rules require each owner or operator to develop a Vessel Security Plan prepared in response to the Vessel Security Assessment. Under the rules, foreign vessels will not be required to submit their plans to the Coast Guard for approval, with the exception made for Canadian commercial vessels, greater than 100 gross registered tons, operating solely on the Great Lakes. Beyond having a significant difficulty in attempting to comprehend the basis for this requirement, we are of the opinion that you are exercising extra territorial jurisdiction which is neither justifiable, nor acceptable to the Canadian domestic fleet owners and operators. We would hope to think that as the United States largest trading partner, we represent a far lesser threat to your national security than most other foreign-flag vessels trading in your ports and, in our view, deserve a less rigorous treatment such as was represented by our joint submission with the Lakes Carriers' Association, from Cleveland, representing U.S. Great Lakes carriers.

We trust these comments will be duly considered. We will be attending the July 23, 2003 meeting in Washington and would appreciate being given an opportunity to address these concerns.

In closing, we do appreciate the opportunity to comment on these interim regulations.

Sincerely,

A handwritten signature in cursive script, appearing to read 'R. Fanteigne'.

Capt. Réjean Fanteigne